



Atty. Dkt. No. 054760355

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10-23-02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory S. HAMILTON et al.

Title: CARBOXYLIC ACIDS AND
CARBOXYLIC ACID
ISOSTERES OF N-
HETEROCYCLIC COMPOUNDS

Appl. No.: 09/920,017

Filing Date: 08/02/2001

Examiner: Celia C. Chang

Art Unit: 1625

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action mailed September 16, 2002, Applicants hereby provisionally elect Group I, Claims 1-5 and 8-13 (n=1), for examination, with traverse. Applicants provisionally elect as species compound 30 (see Table 1 on page 55 of the specification).

Applicants respectfully traverse the restriction requirement. The M.P.E.P. instructs examiners as follows:

803.02 Restriction - Markush Claims

PRACTICE RE MARKUSH-TYPE CLAIMS

If the members of the Markush group are sufficiently few in number or so closely related that a search and examination of the entire claim can be made without serious burden, the examiner must examine all the members of the Markush group in the claim on the merits, even though they are directed to independent and distinct inventions. In such a case, the examiner will not follow the procedure described below and will not require restriction. Since